

REMARKS

At the time of the Office Action, Claims 1-35 were pending. The Examiner rejected claims 1-9, 14, 21-24, and 35 under 35 U.S.C. 102(b); rejected claims 10-13, 15-20, and 25-34 under 35 U.S.C. 103(a); and objected to claim 21 under 35 U.S.C. 112. Through this amendment the Applicant has cancelled claims 33-35 without prejudice, rendering those rejections moot.

The Examiner rejected claims 1-5, and 24, stating that Figs 2 and 3 in U.S. Patent No. 4,075,883 to Glover teaches a breast tomography scanner comprising a stationary chamber (11) configured to hold fluid; a movable chamber (27) having an upper rim within the stationary chamber configured to hold fluid, to move relative to the stationary chamber (11), and to receive a breast; and breast scanning apparatus including an ultrasonic transmitter (14) and an ultrasonic receiver (16). The Applicant respectfully traverses the rejections. While independent claim 1 of the present application is directed to a breast tomography scanner comprising a stationary chamber and a moveable chamber within the stationary chamber, *Glover does not teach a moveable inner chamber within a stationary chamber*. Thus, in the present application, the outer chamber is stationary while the inner chamber rotates. In Glover, however, the *outer chamber* is specifically configured to rotate. For example, column 4, lines 13-15 states that: "The water tank 11, transmitter transducer assembly 14 and arcuate receiver transducer array 16 rotate about the fixed specimen 15 at the center of reconstruction." Moreover, Glover does *not* disclose rotating the inner container (27).

The moveable inner chamber is described in the present application in paragraph 45, "Within the stationary chamber 107 may be a moveable chamber 108 that can be moved with respect to the stationary chamber 107." Furthermore, as stated in The other prior art cited by the Examiner also does not teach a moveable inner chamber within a stationary chamber. Therefore, independent claim 1 is not anticipated by the prior art cited by the Examiner, and is allowable. Pending claims 2-5 and 24 depend upon independent claim 1, and are thus also allowable.

In addition, dependent claim 2 adds the limitation that an ultrasonic transmitter and an ultrasonic receiver are coupled to the moveable chamber. In Glover, the

transducers are coupled to the outer, stationary chamber, rather than the inner chamber. Thus dependent claim 2 and dependent claims 3-5, which depend upon claim 2, are not anticipated by Glover and are allowable.

Furthermore, the Examiner rejected dependent claims 6 and 7 as being anticipated by column 4, lines 35-36 and Figure 2 of Glover. However, dependent claims 6 and 7 of the present application is directed to a *moveable inner chamber configured to rotate about a vertical axis* within the stationary chamber. In Glover, the rotating axis is connected to the outer chamber and not the moveable inner chamber as in the present claims. Thus claims 6 and 7 are not anticipated by Glover, and are allowable.

The Examiner has rejected claims 10-13, 15-20, and 25-34 under 35 U.S.C. 103(a) as being unpatentable over Glover (US 4,075,833) in view of Gardineer et al. (US 4,341,222). The Applicant respectfully traverses the rejections. As previously discussed, claims 10-13, 15-20, and 25-34 all depend upon and therefore include the limitations of independent claim 1, which is directed to a breast tomography scanner comprising a stationary chamber and a moveable chamber within the stationary chamber. These elements are not taught or suggested by any of the prior art cited by the Examiner, and the claims are allowable.

The Examiner objected to claim 21 under 35 U.S.C. 112. Dependent claim 21 has been rewritten to replace the word "though" with "through," as suggested by the Examiner. Claim 21 is now in condition for allowance.

CONCLUSION

For all the above reasons, the Applicant submits that the application is in condition for allowance, which action it respectfully solicits.

A petition for a two-month extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 501946, please credit any excess fees to such deposit account and please reference attorney docket number 64693-074.

Respectfully submitted,
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